

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MONIQUE SYKES, RUBY COLON, REA VEERABADREN, FATIMA GRAHAM, KELVIN PEREZ, SAUDY RIVERA, PAULA ROBINSON, and ENID ROMAN, individually and on behalf of all others similarly situated,

Plaintiffs,

- against -

MEL S. HARRIS AND ASSOCIATES LLC; MEL S. HARRIS; MICHAEL YOUNG; DAVID WALDMAN; KERRY LUTZ; TODD FABACHER; MEL HARRIS JOHN/JANE DOES 1-20; LEUCADIA NATIONAL CORPORATION; L-CREDIT, LLC; LR CREDIT, LLC; LR CREDIT 10, LLC; LR CREDIT 12, LLC; LR CREDIT 14, LLC; LR CREDIT 18, LLC; LR CREDIT 19, LLC; JOSEPH A. ORLANDO; PHILIP M. CANNELLA; LR CREDIT JOHN/JANE DOES 1-20; SAMSERV, INC.; WILLIAM MLOTOK; BENJAMIN LAMB; MICHAEL MOSQUERA; JOHN ANDINO; HUSAM AL-ATRASH; ASSMAT ABDELRAHMAN; and SAMSERV JOHN/JANE DOES 1-20,

Defendants.

ECF Case
No. 09 Civ. 8486 (DC)

NOTICE OF MOTION

PLEASE TAKE NOTICE that upon the Memorandum of Law in Support of Plaintiffs' Motion for Class Certification and Motion to Amend the Complaint, the Declaration of Nicholas Egleson, dated April 14, 2011 and the exhibit annexed thereto, the Declaration of Eisha Jain dated April 15, 2011 and the exhibits annexed thereto, the Declaration of Herman De Jesus dated April 15, 2011, and upon all prior pleadings, Plaintiffs, by their counsel Emery Celli Brinckerhoff & Abady, LLP, the Neighborhood Economic Development Advocacy Project, and MFY Legal Services, Inc., will move this Court at the United States Courthouse for the Southern

District of New York, 500 Pearl Street, New York, New York, before the Honorable Denny Chin, United States Circuit Judge, for an Order:

1. Certifying a plaintiff class, pursuant to Fed R. Civ. P. 23(b)(1)(A), 23(b)(2) and/or 23(b)(3), consisting of all persons who have been or will be sued by the Mel Harris Defendants, as counsel for the Leucadia Defendants, in actions commenced in New York City Civil Court and where a default judgment has been obtained, or will be sought.
2. For an order pursuant to Fed. R. Civ. P. 15 granting leave to amend the complaint.
3. For such other and further relief as may be just and proper.

Dated: April 15, 2011
New York, New York

EMERY CELLI BRINCKERHOFF
& ABADY LLP

By: _____/s/
Matthew D. Brinckerhoff
Eisha Jain
75 Rockefeller Plaza, 20th Floor
New York, New York 10019
212-763-5000

NEIGHBORHOOD ECONOMIC
DEVELOPMENT ADVOCACY PROJECT
(NEDAP)

By: _____/s/
Susan Shin
Claudia Wilner
Josh Zinner
176 Grand Street, Suite 300
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212-680-5100
MFY LEGAL SERVICES, INC.

By: _____/s/
Carolyn E. Coffey
Anamaria Segura
Of Counsel to Christopher D. Lamb, Esq.
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Attorneys for Plaintiffs